

## **Permitting & Assistance Branch Staff Report**

Revised Solid Waste Facilities Permit for the

California Waste Recovery Systems

SWIS No. 34-AA-0231

October 22, 2015

### **Background Information, Analysis, and Findings:**

This report was developed in response to the Sacramento County Environmental Management Department's (LEA) request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed revised Solid Waste Facilities Permit (SWFP) for the California Waste Recovery Systems Materials Recovery Facility, SWIS No. 34-AA-0231, located in the City of Galt and owned by DKCR Properties, Inc. and operated by California Waste Recovery Systems, LLC. A copy of the proposed permit is attached. This report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The proposed permit was initially received on September 29, 2015. A new version of the proposed permit was received on October 14, 2015. Action must be taken on this permit no later than December 13, 2015. If no action is taken by December 13, 2015 the Department will be deemed to have concurred with the issuance of the proposed revised SWFP.

### **Proposed Project:**

The following are the key design parameters of the proposed project:

	Existing SWFP (2014)	Proposed Revised SWFP
Facility Name	California Waste Recovery Systems Materials Recovery Facility	California Waste Recovery Systems
Permitted Maximum Tonnage	150 Tons per Day (TPD) of Mixed Recyclables	630 Tons per Day (TPD) (480 TPD of Mixed Recyclables; 150 TPD of Mixed Waste)
Permitted Traffic Volume	226 Vehicles per Day (VPD)	396 Vehicles per Day (VPD)
Permitted Area	6.29 acres	6.68 acres
Design Capacity	270 TPD	630 TPD
Waste Types	Commingled Recyclables, Single-Stream Recyclables.	Commingled Recyclables, Single-Stream Recyclables, Mixed/Municipal Solid Waste, Green Waste and Construction & Demolition Debris.

Other Changes include:

1. Revisions to the following sections of the SWFP: “Legal Description,” “Findings,” “Prohibitions,” documents that describe and/or restrict the operation of the facility and “LEA Conditions” including the additions and/or deletions for the purpose of updating and/or clarifying.
2. Permitted maximum tonnage stated as combined, but includes a condition 17(c) to further specify tonnage amounts of municipal solid wastes, inerts, green waste, and recyclables per day and year.

### **Key Issues**

The proposed permit will allow for the following:

1. Increase in maximum daily tonnage from 150 to 630.
2. Addition of mixed/municipal solid waste, green waste and construction and demolition debris.
3. Increase in traffic volume from 226 vehicles per day to 396 vehicles per day.
4. Increase in permitted area from 6.29 acres to 6.68 acres.

### **Background:**

The California Waste Recovery Systems Materials Recovery Facility is located at 175 Enterprise Court, Suite A in the City of Galt. The facility is currently permitted under a Full Permit and accepts a maximum of 150 tons per day (TPD) of commingled recyclables and single-stream recyclables. The revised full SWFP is being proposed due to the increase in the amount of daily tonnage to 630 TPD, the addition of mixed/municipal solid waste, green waste and construction and demolition debris, an increase in the permitted traffic volume from 226 to 396 vehicles per day and an increase in the permitted area from 6.29 to 6.68 acres.

### **Findings:**

Staff recommends concurrence in the issuance of the proposed revised SWFP. All of the required submittals and findings required by Title 27 of the California Code of Regulations (27 CCR), Section 21685, have been provided and made. Staff has determined that the California Environmental Quality Act (CEQA) requirements have been met to support concurrence. The findings that are required to be made by the Department when reaching a determination are summarized in the following table. The documents on which staff’s findings are based have been provided to the Branch Chief with this Staff Report and are permanently maintained by the Waste Permitting, Compliance, and Mitigation Division.

27 CCR Sections	Findings	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their proposed permit submittal letter dated September 23, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	The existing permit was issued on June 25, 2014; therefore a Five Year Permit Review is not due or required at this time.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received a proposed Solid Waste Facilities Permit on October 14, 2015	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685 (b)(4)(A) Consistency with Public Resources Code 50001	Waste Evaluation & Enforcement Branch (WEEB) staff in the Jurisdiction Product & Compliance Unit found the facility is identified in the Non-Disposal Facility Element (NDFE) and with the Countywide Integrated Waste Management Plan, as described in the memorandum dated October 6, 2015.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	WEEB staff in the Inspections and Enforcement Agency Compliance Unit found that the facility was in compliance with all operating and design requirements during an inspection conducted on October 21, 2015. See Compliance History below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their proposed permit submittal package cover letter dated September 23, 2015, that the proposed permit is consistent with and supported by the existing CEQA documentation. See the Environmental Analysis below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21650(g)(5) Public Notice and/or Meeting, Comments	The LEA held a substitute public informational meeting per 27 CCR 21660.4. See public comment section for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project. Permitting and Assistance Branch staff has determined that the CEQA record can be used to support the Branch Chief's action on the proposed revised SWFP.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

**Compliance History:**

WEEB staff in the Inspections and Enforcement Agency Compliance Unit conducted a pre-permit inspection on October 21, 2015 and found that the facility is in compliance with applicable state minimum standards and permit conditions.

Below are the details of the facility's compliance history based on the LEA's monthly inspection reports since June 25, 2014, when the facility began operations under a full permit:

- 2015 – No violations noted.
- 2014 – No violations noted.

**Environmental Analysis:**

Under California Environmental Quality Act (CEQA), the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed SWFP before the Department concurs in it. In this case, the Department is a Responsible Agency under CEQA and must utilize the environmental document prepared by the City of Galt, acting as Lead Agency, absent changes in the project or the circumstances under which it will be carried out that justify the preparation of additional environmental documents and absent significant new information about the project, its impacts and the mitigation measures imposed on it.

The changes that will be authorized by the issuance of the proposed permit include:

1. Increase in maximum daily tonnage from 150 to 630.
2. Addition of mixed/municipal solid waste, green waste and construction and demolition debris.
3. Increase in traffic volume from 226 vehicles per day to 396 vehicles per day.
4. Increase in permitted area from 6.29 acres to 6.68 acres.

These changes are supported by the following environmental document

An Initial Study/Negative Declaration (IS/ND), State Clearinghouse No. 2015062094, was circulated for a 30 day comment period from July 1, 2015 to July 30, 2015. The project analysis concluded that there will be no significant impacts to the environment resulting from the project. The Lead Agency filed a Notice of Determination with the State Clearinghouse on August 27, 2015.

The County of Sacramento, Environmental Management Department LEA has provided a finding that the proposed revised SWFP is consistent with and supported by the cited environmental document.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the IS/ND as prepared by the Lead Agency in that there are no grounds under CEQA for the Department to prepare a subsequent or supplemental environmental document or assume the role of Lead Agency for its consideration of the proposed revised SWFP. Department staff has reviewed and considered the CEQA Findings adopted by the Lead Agency. Department staff

further recommends the IS/ND, together with the CEQA finding, is adequate for the Branch Chief's environmental evaluation of the proposed project for those project activities which are within the Department's expertise and/or powers, or which are required to be carried out or approved by the Department.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed revised SWFP and all of its components and supporting documentation, this staff report, the IS/ND adopted by the Lead Agency, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed new SWFP. The custodian of the Department's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

**Public Comments:**

The project document availability, hearings, and associated meetings were noticed consistent with the SWFP requirements. The LEA held a substitute public informational meeting per 27 CCR 21660.4 as part of the public hearing to adopt the Negative Declaration on August 20, 2015, at the Galt City Hall, in the City of Galt. No members of the public were in attendance. No written comments were received by the LEA or Department staff.

Department staff provided an opportunity for public comment during the CalRecycle Monthly Meeting on October 20, 2015. No public comments have been received by Department staff.